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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MAYNARD et al.
Title: OPTICAL ASSAY DEVICE
AND METHOD
Prior Appl. No.: 09/723,641
Prior Appl. Filing Date: 03/18/1999
Examiner: Unassigned
Art Unit: Unassigned

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| CERTIFICATE OF EXPRESS MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231. | |
| EL452690960US (Express Mail Label Number) | 7/12/01 (Date of Deposit) |
| <u>Jodie M. Price</u> (Printed Name) | |
| <u>Jodie M. Price</u> (Signature) | |

CONTINUING PATENT APPLICATION
TRANSMITTAL LETTER

Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

Continuation Division Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

Enclosed are:

- Specification, Claim(s), and Abstract (38 pages).
- Informal drawings (3 sheets, Figures 1-8).
- Preliminary Amendment.

The filing fee is calculated below:

| Claims as Filed | Included in Basic Fee | Extra Claims | Rate | Fee Totals |
|--|--|-----------------|-------------------|-------------------|
| Basic Fee | | | \$710.00 | \$710.00 |
| Total Claims: <u>3</u> | - <u>20</u> | = <u>0</u> | x \$18.00 | = <u>\$0.00</u> |
| Independents: <u>2</u> | - <u>3</u> | = <u>0</u> | x \$80.00 | = <u>\$0.00</u> |
| If any Multiple Dependent Claim(s) present: | | | + \$270.00 | = <u>\$270.00</u> |
| Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee | | | + \$130.00 | = <u>\$0.00</u> |
| | | | SUBTOTAL: | = <u>\$980.00</u> |
| [] | Small Entity Fees Apply (subtract 1/2 of above): | | | = <u>\$0.00</u> |
| | | | TOTAL FILING FEE: | = <u>\$980.00</u> |

- A check in the amount of \$980.00 to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 11, 2001

By Michael A. Whittaker

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